

EAST PALESTINE VILLAGE COUNCIL OCTOBER 27 2014 85 N. MARKET ST. 7 PM

Mayor Zuch called the meeting to order, present were Atty. Beagle, Mr. Elzer, Mr. Cohen, Mr. Figley, Mr. Tyger and Mrs. Wisser. Also present were Manager Monteleone, Finance Director Traci Thompson, Law Director Dave Powers and Clerk Misti Martin. The minutes of the October 13 meeting were approved on a motion by Mr. Cohen, seconded by Mrs. Wisser. At this point Mayor Zuch swore in new auxiliary police officer John Dowd.

AGENDA: Edward Reidy- Eagle Scout project. Mr. Reidy stated he would like to put in a new bridge over the creek at Glenview Cemetery. He said it would be around 28ft and have handrails and that it would around two months to complete. Manager Monteleone asked for him to draw some plans and then meet with him to discuss it. **Mary Beth DiCello-Walking Trail.** Mrs. Dicello began by asking council a series of questions about the trail; “is the reason the trail is being done is because its free, are the parts of the trail on city property, once the legislation is passed can it be stopped, will there be a concrete plan once its passed, if the maintenance will be public or private, and if the liability will be public?” She stated this had been an issue previously under different administration, she stated nothing has changed and there would be no benefit to city for extending the trail. She stated she has lived in the area for 30 years and loves it but it doesn’t get enough use to disrupt their lifestyles by extending it. She stated they are taxpayers of the village and they do not want the trail extended. Mr. Elzer said he spends a lot of time in the area and sees a lot of people on the existing trail and having it extended would not decrease their property values. She said there are no definite plans until after the legislation is passed and that is a problem. Mr. Elzer said we have one of the best trails around and we are missing a half mile piece and Mrs. Wisser stated she will not walk the trail from the lake because she feels unsafe and Mrs. DiCello said she didn’t believe that and that it is no more dangerous than walking on the bridge that doesn’t have a sidewalk. **Terry Dugan –Walking Trail/Badger trucks on W. Main.** Mr. Dugan stated they did not want the trail extended on W. Main but suggested extending it through the park instead and engineers would not be needed. Mr. Elzer said because it is governmental this project cannot be done without engineers; we have to use engineers to get the grants. Mr. Dugan stated he watches how many people are on the trail and in the last two weeks he has counted 10. Mr. Figley asked their reasons for not wanting the trail and Mr. Dugan said they don’t want any more traffic with people walking in and throwing cigarette butts in their yards and he feels it won’t be maintained properly. Mrs. DiCello stated she doesn’t want it because there is no definite plan as to where it will go, doesn’t know if it will decrease her property value and if it will cause problems with other residents in the area. Mr. Figley stated if it does go through it will be in the right of way but that he does sympathize with her. He said he isn’t happy with the way the legislation is written. Manager Monteleone stated that with any grant project once you start spending the money you are obligated, and they have to see legislation to move forward with the grant. If engineer is done prior the village would have to pay for it. Mr. Cohen stated the money would be recovered once the grant is received to which Monteleone said is a possibility but he would have to look into it. Mr. Cohen asked the amount of the grants and Monteleone said around \$160,000.00. Mr. Cohen asked where the figures came from since there is no engineering or estimates and Monteleone said there was preliminary engineering done. Mr. Figley said if the preliminary engineering was done more than a few years ago the cost will be different now, also he said he was told there would be no cost to the Village but the legislation isn’t written that way. Monteleone said it would need to be amended. Mr. Figley said he has the same concerns as the residents and wants to see plans ahead of time. Mr. Figley and Mr. Cohen agreed that the current legislation reads that the village will have to come up with money for the project to which Monteleone said that is not the case and it will need to be amended. Monteleone said he spoke to the engineers about the preliminary engineering being 3 years old and that if council agreed to the project the village did not want to have to come up with money, that the project would have to be modified so it would be fully funded. Mr. Cohen stated if council accepts the grant and then get further engineering that isn’t acceptable they don’t have to finish the project. Monteleone said the village would then have to pay for the engineering and we could have problems getting other grants if we pulled out.

CLERK: Clerk Misti Martin had no report however Mr. Elzer told council he had asked her about alternating the order of a roll call vote at which point Mrs. Wisser stated that is how it used to be. Council agreed that it could be done that way in the future. Mr. Figley then asked about Mr. Dugan's request to speak about the large Badger trucks on W. Main. Mr. Dugan stated the culvert in front of his house is only a foot deep and is now coming apart because of the trucks going over it. Monteleone stated he had told Mr. Dugan he would speak to the street department and have them look into it.

MAYOR: NO REPORT

MANAGER: Manager Monteleone stated he continues to meet with Chief Brown and have been going over new applicants, he said he met with Jason Reynolds from the Div. of Wildlife to do an onsite visit in reference to coming up with a plan on the goose problem and the main point is to be persistent. He's met with MS Consultants and everything is moving forward with the splash pad and Sumner St. bridge. The mural on the building has been completed. He said the Teamsters and FOP wage reopener will be due the 28th. He said he's been working on the 2015 budget and that John Boley has advised he will be retiring November 28th of this year. Atty. Beagle asked what the qualifications would be for that job, Monteleone said he didn't have them with him but it would be a management position for streets. He also said leaf pick up begins in November.

LAW DIRECTOR: Atty. Powers stated it has been quite, he continues to meet with the Manager.

STREET: Mr. Figley said he had 2000 flyers made for the street levy and he has about half of them delivered along with about 12 signs. He will be getting a few more signs made.

SAFETY/PARK/REC/CEM: Mr. Cohen had no report however Mrs. Wisser thanked Nathan Foster for putting on the Haunted Trail at the Park. Atty. Beagle stated she spoke with Chief Dickey and she thinks he is doing a great job.

DEVELOPMENT: NO REPORT but reminded everyone how bad the streets used to be and said the improvements are all due to the street levy.

UTILITY: Mrs. Wisser asked about the missing concrete surrounding the recently replaced light poles on Market St. and Monteleone said Ohio Edison subcontracts that work out and we are just waiting. She also commented on how bad the railroad crossing is on N. Pleasant and Monteleone stated he continues to call them weekly about getting it repaired.

FINANCE: Mr. Tyger asked everyone to please vote for the Street Levy renewal.

VISITORS: Mary Beth & Tony DiCello, John & Dot Herbert, Tom & Eileen Foley, Mary Anne Tyger, Dianna Elzer, John Martin, Mark Northcutt, Chief Kevin Dickey, John E. Dowd, Larry & Terry Wales, Sue Dunn, Ron & Corrie Rafferty, Jeff Weber, Terry Dugan, Rick & Karen Gorby, Dan Scott, Brian & Jeanne Birmingham, Edward Reidy, Matt Tancer, Richard Burbick, Lisa Burbick, David & Sue Dugan, Rebecca Bennett, John & Bonnie Davis, Pam Figley, Emory Coon, Katie White and Chief Josh Brown.

VISITORS COMMENTS ON CURRENT LEGISLATION: Mr. Figley stated they try to use every dime the village has to get to all of the streets and the ones that are chip & sealed are not the finished product, which is strictly to seal and preserve the roads. Monteleone stated the money only goes so far, W. Main for example is bad but we weren't able to pave it so it was chip and sealed to preserve the base until they can get to it. He said they are trying to touch every street possible. Mr. Cohen said the plan is to eventually pave all of the streets. Corrie Rafferty of W. Main St. asked if council would like to have a walking trail in front of or behind their homes, stating that it will violate her privacy and property value and be an eyesore. She said it was stated in the paper that this issue died the last time because funding was lost but in truth it was because of a petition and united front presented by the residents of the area and council voted it down. She said the safety issue is nonexistent for those walking on the road and the real issue is the dangerous underpass. She said there is not a high use on the trail and she doesn't believe that it would come at no cost to

the residents. Mr. Figley stated he understands as he lives on the walking trail also but the people don't bother him, he also said that if it is true that no one uses the trail then their argument as to it being a safety issue (because of people being on their property) isn't valid. Mary Beth Dicello said her biggest issue is no one can tell her exactly where it will go, if it goes in front of the properties there won't be a grass barrier and that will be a big safety issue along with putting it at a couple bad intersections. Monteleone stated he isn't biased on this issue, he is just presenting it to the residents and to council so they can make the decision and that he will double check on the comment about the legislation being voted down, he thought that it was tabled because of lack of funding for the 20% match that was needed but he would research it. Mr. Figley stated the reason legislation is done in three readings is to give the public time to come discuss it, he said that is councils job, he said there is offer of grant money and it has to be taken seriously. They have to see who is for it and against it and then make the decision that is best for the public and what is best for the village financially. Mr. Cohen stated for the cost of the project, he felt the ordinance is inadequate because there are no figures in it, nothing limits the amounts spent and that he will not vote for an ordinance that has a blank space with a dollar sign next to it. Monteleone said he would try to have more concrete information and numbers by the next meeting. Atty. Powers said the legislation is only to accept the grants however Mr. Cohen read a portion of the legislation stating it gives the manager "approval to initiate the project". Mr. Cohen made a motion to table Ord. 15-2014 seconded by Atty. Beagle. Mr. Elzer asked if there was a time table on the grant monies and Monteleone stated the grants are "on the books" but there is no specific time table. Ord. 15-2014 tabled (5 to 1 with Mr. Elzer being the NO vote). David Brown from W. Main St. asked if when council got the cost information if they would let the public know and council said yes it would be announced at council and said he was glad the legislation was cancelled. Mr. Cohen stated that just because it was cancelled doesn't mean that it won't come back up again. Mr. Brown said he feels the area is too tight to put the trail in front of the houses. Tony DiCello asked that council take into consideration that the residents on W. Main didn't want this trail before and they do not want it now and asked that they look into running the trail through the park instead. Mark Northcutt asked if this issue was voted down previously why it's being discussed now and Monteleone stated he would find out for sure if it was voted down or if it was tabled. Ron Rafferty asked if things are about supply and demand why extending the trail is an issue because there is no demand for that and also that a black top strip in front of their homes will never be attractive, he also said they residents of the area do not want the trail extended.

ADJOURN: Mr. Elzer made a motion to adjourn, seconded by Atty. Beagle. All in favor meeting adjourned.

MISTI J. MARTIN CLERK

MAYOR MARGO ZUCH